

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue

Application

of : U.S. Patent No. 6,001,844

Applicants: Bakshi et al.

Reissue

Serial No.: To Be Assigned

Case No.: 19526PR

Art Unit:

To be Assigned

Filed: December 14, 2001

For: 4-AZASTEROIDS FOR TREATMENT OF
HYPERANDROGENIC CONDITIONS

Examiner:

To be Assigned

BOX REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

ASSENT BY ASSIGNEE FOR FILING OF REISSUE APPLICATION, OFFER TO
SURRENDER ORIGINAL PATENT AND STATEMENT UNDER 37 C.F.R. 3.73(b)

Sir:

This is part of the application for a reissue patent filed herewith based on the original U.S. Patent No. 6,001,844, issued December 14, 1999.

U.S. Patent No. 6,001,844 is assigned to Merck & Co., Inc. as assignee of the entire right, title and interest in said patent by virtue of an assignment recorded at Reel/Frame 010117/0047 on July 26, 1999.

Merck & Co., Inc. hereby consents to the accompanying application for reissue of U.S. Patent No. 6,001,844.

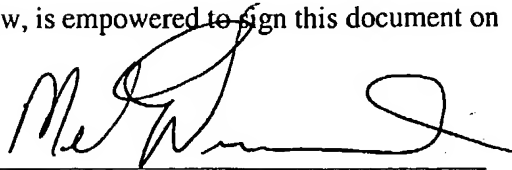
Reissue Serial No.: To Be Assigned
Reissue of: US 6,001,844
Case No.: 19526PR
Page No.: 2

Merck & Co., Inc. hereby offers to surrender U.S. Patent 6,001,844, when the reissue application is otherwise in condition for allowance.

The undersigned, whose title is supplied below, is empowered to sign this document on behalf of the assignee.

12/14/01

Date



Melvin Winokur
Counsel, Patents

Encl.: Corp. Resolution #5

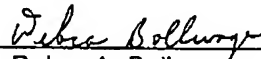
EXPRESS MAIL CERTIFICATE
DATE OF DEPOSIT December 14, 2001
EXPRESS MAIL NO. EC523908X US
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS EXPRESS MAIL "POST OFFICE TO
ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN
AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, D.C. 20231
MAILED BY Kathy R. Luthers
DATE _____

100-0420001

CERTIFICATION

I, Debra A. Bollwage, Assistant Secretary of Merck & Co., Inc., a Corporation duly organized and existing under the laws of the State of New Jersey, do hereby certify that the attached, presently in full force and effect, is a true and correct copy of General Corporate Resolution #5, Patent Matters, as amended by Unanimous Written Consent of the Board of Directors of said Corporation on April 24, 2001.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and affixed the seal of the Corporation this 27th day of April, 2001.



Debra A. Bollwage
Assistant Secretary

(SEAL)

General Corporate Resolution #5

PATENT MATTERS

RESOLVED, that any of the following:

Raymond V. Gilmartin-Chairman of the Board, President and Chief Executive Officer
Kenneth C. Frazier-Senior Vice President and General Counsel
Joseph F. DiPrima-Vice President and Assistant General Counsel
Paul D. Matukaitis-Vice President and Assistant General Counsel
Edward W. Murray-Counsel, Litigation
Charles M. Caruso-Counsel, International
W. Gwyn Cole-Counsel-European Patents
Mark R. Daniel-Counsel, Patents
David L. Rose-Counsel, Patents
Jack L. Tribble-Counsel, Patents
Melvin Winokur-Counsel, Patents
Richard C. Billups-Assistant Counsel, Patent Practices
Donna L. Margiotto-Administrator, Patents

are authorized to execute and to revoke on behalf of Merck & Co., Inc. and its affiliates (including subsidiaries) the following documents relating to patent matters:

Powers of attorney as fully in law as may be necessary and proper in connection with the acquisition, registration, maintenance and enforcement of patents and applications for patents, including powers of attorney relating to the prosecution or defense of patent rights before courts of law or other governmental tribunals, agencies or departments; affidavits and declarations; and any other documents which are necessary and proper for the acquisition, registration, maintenance, litigation and protection of patents.



COPY OF PAPERS
ORIGINALLY FILED

3

PTO/SB/51 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

19526PR

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 6,001,844, granted December 14, 1999, and for which a reissue patent is sought on the invention entitled 4-Azasteroids for Treatment of Hyper-androgenic Conditions, the specification of which

☐ is attached hereto.

☒ was filed on December 14, 2001 as reissue application number 10 / 020,740 and was amended on _____ (If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

There was an error in claiming R¹ as ethyl, and R² as methyl. There was also an error in not claiming R³ as substituted phenyl, which subject matter has been added.

OK in final claims

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)

19526PR

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s) Registration Number

Catherine D. Fitch 36,502

Melvin Winokur 32,763

Joseph F. DiPrima 28,944

Correspondence Address: Direct all communications about the application to:

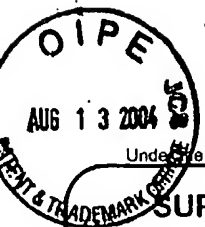
☒ Customer Number

000210

Type Customer Number here

Place Customer Number Bar
Code Label here

<input type="checkbox"/> Firm or Individual Name	Catherine D. Fitch				
Address	Merck & Co., Inc. - Patent Department				
Address	P.O. Box 2000, RY60-30				
City	Rahway	State	NJ	Zip	07065-0907
Country	USA				
Telephone	(732)594-4283	Fax	(732)594-4720		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.					
Full name of sole or first inventor (given name, family name) Raman K. Bakshi					
Inventor's signature		Raman Kumar Bakshi		Date 17 April 2002	
Residence		Edison, NJ 08820		Citizenship India 17/4/2002 USA	
Mailing Address Merck & Co., Inc., P.O. Box 2000, Rahway, NJ 07065-0907					
Full name of second joint inventor (given name, family name) Soumya P. Sahoo					
Inventor's signature		Soumya P. Sahoo		Date 15th April 2002	
Residence		Old Bridge, NJ 08857		Citizenship India	
Mailing Address Merck & Co., Inc., P.O. Box 2000, Rahway, NJ 07065-0907					
Full name of third joint inventor (given name, family name) Richard L. Tolman					
Inventor's signature		Richard L. Tolman		Date 11 April 2002	
Residence		Los Altos, CA 94024		Citizenship USA	
Mailing Address Merck & Co., Inc., P.O. Box 2000, Rahway, NJ 07065-0907					
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.					



PTO/SB/51S (04-04)

Approved for use through 4/30/2007. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**SUPPLEMENTAL DECLARATION
FOR REISSUE
PATENT APPLICATION
TO CORRECT "ERRORS" STATEMENT
(37 CFR 1.175)**

Attorney Docket Number	19526PR
First Named Inventor	Bakshi, et al.
COMPLETE	
Application Number	10/020,740
Filing Date	12/14/2001
Art Unit	1624
Examiner Name	B. Coleman

I/We hereby declare that:

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Raman K.

Bakshi

Inventor's
Signature

Raman Kumar Bakshi

Date 02-August-04

Name of Second Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Soumya P.

Sahoo

Inventor's
Signature

Soumya P. Sahoo

Date 09-August-04

Name of Third Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Richard L.

Tolman

Inventor's
Signature

Richard L. Tolman

Date 26 July 2004

Name of Fourth Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Inventor's
Signature

Date

☐ Additional inventors or legal representatives(s) are being named on the _____ supplemental sheets PTO/SB/02A or 02LR attached hereto.

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.